



**REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DEPARTMENT OF TRANSPORTATION**

JOINT MEMORANDUM CIRCULAR NO. 001 Series of 2017
Date: 19 June 2017

SUBJECT: GUIDELINES ON THE PREPARATION AND ISSUANCE OF LOCAL ORDINANCES, ORDERS, RULES AND REGULATIONS CONCERNING THE LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP)

SECTION 1: BACKGROUND

WHEREAS, Department Order No. 2017-011, or the “Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance”, stipulated that the Department of Transportation (DOTr) shall set guidelines, criteria, and procedures for local public transport planning and help build local capacities to prepare Local Public Transport Route Plans (LPTRPs). LGUs shall be responsible for collecting data, analyzing public transport supply and demand, and identifying specific public transport supply gaps for travel within their territories and for capturing this in city and municipal public transportation plans;

WHEREAS, Republic Act (R.A.) No. 10844, otherwise known as the “Department of Information and Communications Technology Act of 2015”, was enacted on 23 May 2016, where it transferred certain functions of the Department of Transportation and Communications (DOTC) and Department of Science and Technology (DOST) into the newly created Department of Information and Communications Technology (DICT), thereby renaming the DOTC into the Department of Transportation (DOTr);

WHEREAS, the Department of the Interior and Local Government (DILG), as provided in Section 5 of Executive Order No. 262, series of 1987, otherwise known as the “Reorganization Act of the Department of Local Government and for Other Purposes”, may establish and prescribe rules, regulations, and other issuances implementing laws on the general supervision of LGUs, promotion of local autonomy, community empowerment, and monitor compliance thereof by said LGUs;

WHEREAS, the DILG, in the exercise of its general supervision of LGUs, may establish and prescribe rules, regulations, and other issuances to ensure that locally-issued ordinances, orders, rules and regulations concerning public transportation conform with existing laws and jurisprudence relating to public transportation, in accordance with DILG-DOTC Joint Memorandum Circular No. 01, series of 2008, dated 10 September 2008, entitled “Guidelines in the Review of Local Ordinances, Orders, Rules and Regulations concerning Public Transportation”;

WHEREAS, Section 17 (a) of Republic Act 7160, otherwise known as “The Local Government Code of the Philippines”, provides that Local Government Units (LGUs) shall discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. LGUs shall likewise exercise such other powers and discharge such other functions and responsibilities as are

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necessary, appropriate, or incidental to the efficient and effective provision of the basic services and facilities enumerated herein;

WHEREAS, Sections 1 and 2 of Executive Order 712¹, s. 2008 provide that:

“Section 1: The Department of Transportation and Communication (DOTC) is hereby directed to immediately review all existing orders, rules and regulations issued by Local Government Units (LGUs) concerning public transportation within their jurisdiction, including the grant of franchises to tricycles, establishment and operation of transport terminals, authority to issue traffic citation tickets, and unilateral rerouting schemes of public utility vehicles.”

“Section 2: Pending the review by the DOTC under Section 1 hereof of existing orders, rules and regulations issued by LGUs, the Department of the Interior and Local Government (DILG) shall, subject to existing laws, advise LGUs to suspend (1) the establishment and operations of new and existing transport terminals that charge fees and require compulsory use by public utility vehicles, (2) the enforcement of re-routing schemes that violate the authorized routes as provided for the PUV franchises, (3) the issuance of new tricycle franchises while respecting those that have been issued already, (4) the increase in local fees and charges applicable to public transportation, and (5) the implementation of local programs, projects and ordinances that have impact on the cost of operations of public utility vehicles without first coordinating and getting the approval of the DOTC to ensure that these programs, projects and ordinances do not prejudice public interest by way of higher transport fares.”

NOW THEREFORE, the DOTr and the DILG hereby adopt this Joint Memorandum Circular (JMC).

SECTION 2: COVERAGE

This Joint Memorandum Circular shall apply to all Provincial, City, Municipal Governments, Autonomous Regions, Special Areas, and Regional Offices of the DILG and the DOTr thru the Land Transportation Franchising and Regulatory Board (LTFRB) nationwide.

SECTION 3: DEFINITION OF TERMS

- a. Local Public Transport Route Plan (LPTRP) – a plan detailing the route network, mode, and required number of units per mode for delivering public land transport services. This is prepared by Local Government Units and approved by the Department of Transportation/Land Transportation and Franchising Regulatory Board. This plan shall serve as the basis of a comprehensive local transport plan.
- b. LPTRP Manual – a guide for the identification, design, and planning of routes which indicates the pertinent guidelines, policies, data requirements, and data collection methodologies involved in formulation of the LPTRP.
- c. Local Chief Executive – refers to the Governor, City or Municipal Mayor.
- d. Local Government Units (LGUs) – refer to provincial, city, and municipal governments. x. n

¹ Executive Order 712 Directing the Immediate Review of Existing Orders, Rules and Regulations Issued by Local Government Units Concerning Public Transportation, Including the Grant of Franchises to Tricycles, Establishment and Operation of Transport Terminals, Authority to Issue Traffic Citation Tickets, and Unilateral Rerouting Schemes of Public Utility Vehicles, and for Other Purposes

- e. Metro Manila Urban Transport Integration Study Update and Capacity Enhancement Program (MUCEP) Study Area – Area consisting of the sixteen (16) cities (Caloocan, Las Piñas, Makati, Malabon, Mandaluyong, Manila, Marikina, Muntinlupa, Navotas, Pasay, Pasig, Parañaque, Quezon City, San Juan, Taguig, and Valenzuela) and one (1) municipality (Pateros) of Metro Manila and identified cities and municipalities in its adjoining provinces (Bulacan, Rizal, Laguna, and Cavite) that constitute the geographical coverage of the MUCEP research.
- f. Omnibus Franchising Guidelines (OFG) – refers to Department Order ____, or the Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance issued by the Department of Transportation.
- g. Special Areas – refer to areas wherein their respective transport plans are developed independent of the LGUs, including but not limited to Special Economic Zones (SEZs) and university complex.
- h. Zoning Ordinance – refers to written regulations and laws that define how property in specific geographic zones can be used. The Zoning Ordinance is a legally binding set of rules and regulations affirming the usage of land in a city/municipality.

SECTION 4: GUIDELINES

The LPTRP shall be the minimum requirement prescribed for the issuance of Public Utility Vehicle (PUV) franchises. This shall form part of the Local Transport Master Plan (LTMP) which relates land use to transport modes and provides measures for traffic management. The DOTr shall subsequently issue a Local Transport Planning Manual.

- a. On the preparation and issuance of the LPTRP Manual
 - i. In coordination with other concerned government agencies, development agencies, and institutions, the DOTr shall prepare and issue the LPTRP Manual in accordance primarily with the OFG within two (2) months from the effectivity of this JMC.
 - ii. In the preparation of their respective LPTRPs, LGUs shall refer to the Manual for the minimum requirements set by the DOTr.
 - iii. The DOTr shall incorporate in the Manual the criteria and/or uniform standards set for each LGU class and the evaluation procedures of LPTRP submissions.
- b. On Capacity Building of Local Government Units
 - i. Whenever necessary, the DOTr, in coordination with the DILG and other concerned national agencies, the academe, and development agencies, shall facilitate and/or conduct trainings and/or capacity building activities for local government units and/or metropolitan authorities within their respective jurisdictions on the preparation of the LPTRP using the Manual.
 - ii. The DOTr shall develop and offer “train-the-trainer” programs to multiply support channels for the capacity building activities.

- iii. Trainings and/or capacity building activities for the respective LGUs shall be designed, to the extent possible, as “hands-on” and “learning-by-doing” exercises, where the LGU planners are directly involved in formulating or refining their LPTRP during the course of the training or workshop activity, using data and knowledge from their respective localities.
 - iv. LGUs will designate focal persons in their respective planning and development offices who will be responsible for the preparation of the LPTRP.
 - v. After the conclusion of the trainings and/or capacity building activities of the LGU, the DOTr shall formally advise the Local Chief Executive to commence the six (6) month LPTRP preparation period. The notice shall include the contact details of the DOTr focal person for support and/or further assistance, the prescribed timeline of activities including deadline of LPTRP submission, and technical recommendations of the DOTr, if any. The designation of a new DOTr focal person mentioned in the preceding sentence shall be promptly relayed to the concerned Local Chief Executive(s).
 - vi. LGUs that are capable of preparing their own LPTRPs need not undergo such capacity building provided that they seek advice from the DOTr on the required form and substance of the same.
- c. On the Preparation of LPTRP by the LGUs

- i. LGUs shall constitute an LPTRP Team led by of the heads of their respective planning and development offices or any similar office responsible for traffic and transport regulation.
- ii. Pursuant to the OFG, city/municipal governments shall have the responsibility of formulating LPTRPs for intra-city/intra-municipality trips. Provincial governments shall formulate the same for trips between component cities and municipalities within their respective provinces. LPTRPs covering routes between and among independent cities, provinces and regions, and inter-city/inter-municipal routes within the MUCEP Study Area shall be the responsibility of the DOTr.

Provided that, Special Areas shall be responsible in formulating their routing and transport plans within their respective jurisdiction. Provided further that, the said Special Areas shall coordinate with their respective LGUs concerning the integration of their routing and transport plans with those of the latter.

- iii. LGUs shall prepare their respective LPTRPs based on and/or consistent with the Manual prescribed in this JMC and submit the same to the LTFRB for review, copy furnished the DILG, within six (6) months from the formal notice of the DOTr.
- iv. To ensure that the hierarchy of public transport modes envisioned in the OFG is preserved, the guidelines on the granting of franchises to tricycles prescribed in Section 3.1 of DILG-DOTC JMC No. 1, series of 2008 shall be strictly observed in the preparation of the LPTRP. The following provision shall be strictly monitored in the evaluation of the LPTRP, to wit:

“Tricycle operation should only be confined along city or municipal roads, not along national roads and is limited only to routes not traversed by higher modes of public transport. However, the local Sanggunian may allow if there is no other alternative route.”

- v. LGUs shall secure the official inputs and/or comments of all stakeholders within their respective jurisdiction in preparing the LPTRPs. Stakeholders shall include, but are not limited to, commuter groups, transport groups, and the academe.

d. Approval Process for LPTRPs

- i. The completed LPTRP shall be submitted by the Local Chief Executive to the LTFRB for review, copy furnished the DILG.
- ii. After checking for compliance with the guidelines specified in the Manual, the LTFRB shall issue either of the following:
 1. Notice of Compliance (NOC) to the LGU for the passing of appropriate ordinance; or
 2. Notice of Non-Compliance (NONC) which details all the points and/or concerns for revision by the LGU.
- iii. Upon the issuance of an NOC, the ordinance adopting the LPTRP shall be endorsed to the LTFRB for the conduct of a transparent operator selection and issuance of franchise(s).
- iv. An approved LPTRP shall be one of the bases for the prioritization of the road transport network development projects of the government.

Table 1. Approval Process for LPTRPs

Steps	Agency Concerned
Step 1: Draft the LPTRP	LGU
Step 2: Submit the LPTRP to the LTFRB	LGU
Step 3: Review the compliance of the LPTRP with the OFG	LTFRB
Step 4: Issue an NOC or an NONC depending on the results of the review	LTFRB
Step 5: <ul style="list-style-type: none"> • If an NOC is issued, pass an ordinance adopting the LPTRP and endorse the same to the LTFRB • If an NONC is issued, revise the LPTRP 	LGU
Step 6: Conduct a transparent operator selection and issuance of franchise(s).	LTFRB

e. On the Issuance of Franchises

The DOTr, through the LTFRB, shall issue the appropriate rules and regulations for the transparent conduct of operator selection and issuance of franchises consistent with the LPTRP of the concerned LGU, the OFG, and the Manual.

f. On Updating the LPTRP

LGUs may update their LPTRPs at least once every three (3) years after the last approval.

SECTION 5: REVIEW OF ORDINANCES, ORDERS, RULES AND REGULATIONS

All Sangguniang Panlalawigan, Sangguniang Panlungsod, or Sangguniang Bayan are hereby enjoined to review all their issued ordinances, orders, rules and regulations concerning local public transport routes based on the guidelines set forth in this Circular, within three (3) months from the effectivity of this JMC. A consolidated report of all pertinent ordinances, orders, and/or rules and regulations on local public transport routes shall be prepared in time for the commencement of trainings and/or capacity building activities which will be spearheaded by the DOTr.

SECTION 6: AMENDMENT OF ORDINANCES, ORDERS, RULES AND REGULATIONS

- a. A moratorium on the acceptance of applications/petitions for tricycle franchises shall be implemented by all LGUs, upon the effectivity of this JMC, pending the approval of its LPTRP.
- b. The Sangguniang Panlalawigan, Sangguniang Panlungsod, or Sangguniang Bayan concerned is enjoined to amend, revise, repeal, or otherwise modify all issued ordinances, orders, rules and regulations which are in conflict with the policies, standards, and limitations provided herein and the Manual issued for this purpose, within six (6) months from the approval of their respective LPTRPs. The ordinance adopting the LPTRP shall include a repealing clause to this effect.

SECTION 7: RESPONSIBILITY OF THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD, DEPARTMENT OF TRANSPORTATION

Upon approval of the LPTRPs, the LTFRB and its regional offices shall update franchise information in relation to changes made by LGUs.

SECTION 8: RESPONSIBILITY OF THE DILG REGIONAL DIRECTORS

All DILG Regional Directors are directed to:

- a. Cause the immediate and widest dissemination of this JMC to all Provincial, City, and Municipal Governments within their respective jurisdictions.
- b. Monitor the review and amendment of the ordinances which are contrary to the policies, standards, and limitations contained in this JMC.
- c. Ensure and monitor the compliance of all Provincial, City, and Municipal Governments within their respective jurisdictions.
- d. Assist in the immediate resolution of issues related to the non-submission of the LPTRP of all Provincial, City, and Municipal Governments within their respective jurisdictions.

SECTION 9: TRANSITORY PROVISION

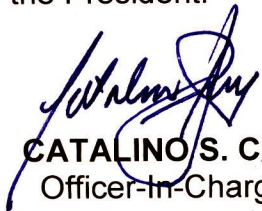
LGUs with existing Public Transport Route Plans which are compliant with the guidelines set in the OFG and the Manual shall be endorsed to the LTFRB for approval and commence the call for application for franchise issuance.

SECTION 10: REPEALING CLAUSE

All existing issuances released jointly or separately by the Department of Transportation and the Department of Interior and Local Government, which are inconsistent herewith, are hereby repealed or modified accordingly.

SECTION 11: EFFECTIVITY

This Joint Memorandum Circular shall take effect thirty (30) days following the completion of its publication in the Official Gazette and/or in a newspaper of general circulation and/or the filing of three (3) copies hereof with the UP Law Center pursuant to Memorandum Circular 11 dated 09 October 1992 of the Office of the President.


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Officer-In-Charge
Department of the Interior
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ARTHUR P. TUGADE
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